

## Article - Labor and Employment

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§9-1002.

(a) An award is payable out of the Fund in accordance with this section.

(b) Unless an application for review has been timely filed under subsection (g) of this section or a notice of appeal timely served, an employer is in default on a claim by a covered employee or the dependents of a covered employee if the employer fails to:

(1) secure payment of compensation in accordance with § 9-402 of this title;

(2) except for a governmental self-insurance group authorized by § 9-404 of this title, deposit security in accordance with § 9-405 of this title that is:

(i) sufficient to cover a claim by a covered employee; and

(ii) at least \$100,000; and

(3) pay compensation in accordance with an award within 30 days after the date of the award.

(c) If an employer is in default under subsection (b) of this section, promptly after the expiration of 30 days after the date of the award, the Commission shall notify the employer that:

(1) the employer is in default; and

(2) the license or permit of the employer to do business in the State may be suspended.

(d) (1) On receipt of a notice of default, an employer promptly shall pay the award.

(2) To object to an award, the employer, within 30 days after receipt of the notice of default, shall notify the Commission of the reasons why the employer objects to the award.

(3) The notice of objection by the employer to the Commission serves as an application for review under subsection (g) of this section.

(e) If the employer does not pay the award and does not notify the Commission of its objection to the award in accordance with subsection (d) of this section, the covered employee or the dependents of the covered employee may apply to the Director for payment from the Fund.

(f) On receipt of an application for payment, the Fund may:

- (1) pay the award; or
- (2) apply for review under subsection (g) of this section.

(g) (1) The provisions of Subtitle 7 of this title about procedure and the right to appeal apply to:

(i) a covered employee or the dependents of a covered employee who file a claim;

(ii) the uninsured employer; and

(iii) the Fund.

(2) The right of review of the Fund includes:

(i) raising issues;

(ii) discovery; and

(iii) a hearing before the Commission.

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